

KING & SPALDING LLP
MICHAEL J. SHEPARD (SBN 91281)
mshepard@kslaw.com
50 California Street, Suite 3300
San Francisco, CA 94111
Telephone: +1 415 318 1200
Facsimile: +1 415 318 1300

KERRIE C. DENT (Admitted *pro hac vice*)
kdent@kslaw.com
1700 Pennsylvania Avenue, NW, Suite 900
Washington, DC 20006-4707
Telephone: +1 202 626 2394
Facsimile: +1 202 626 3737

CINDY A. DIAMOND (SB # 124995)
ATTORNEY AT LAW
58 West Portal Ave #350
San Francisco, CA 94127
408.981.6307
cindy@cadiamond.com

Attorneys for Defendant
ROWLAND MARCUS ANDRADE

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

I, Cindy A. Diamond, hereby state and declare:

1. I am an attorney, duly licensed to practice law in California and before this Court, and

DECLARATION OF CINDY A. DIAMOND IN SUPPORT OF DEFENDANT'S MOTION TO REMOVE
INCORRECTLY FILED DOCUMENTS
UNITED STATES v. ANDRADE, Case # 3:20-CR-00249-RS-LBx - Page 1

1 I am one of the attorneys representing defendant Rowland Marcus Andrade in the above-entitled
2 matter.

3 2. Yesterday, late in the day, the defense team filed a status report and declaration with
4 exhibits; the declaration was in support of the status report, and authenticated exhibits consisting
5 of copies of communications between defense counsel and the government regarding discovery
6 matters. The documents were designated as docket # 173 and 173-1 on the court's ECF filing
7 system.

8 3. This morning a colleague noticed that inadvertently, some of Exhibit 4 attached to
9 document number 173-1, which was a detailed 13-page single-spaced letter from defense counsel
10 to the government, contained material referencing witnesses and investigations that did not
11 pertain to the status report, and should not be publicly available. A member of this Court's staff
12 was contacted promptly, and Docket numbers 173 and 173-1 were locked-down; that is, they
13 were restricted from public view.

14 4. Attorney Kerrie Dent, my colleague representing Mr. Andrade, removed the exhibits
15 and the references to them. We determined it was unnecessary to include any of the exhibits,
16 since Ms. Dent was a party to the relevant communication with the government and had related
17 that matter to the Court under oath in her declaration. On our client's behalf, I filed the status
18 report and declaration today; they are Docket numbers 174 and 174-1, respectively.

19 5. This declaration and its accompanying motion are written to request removal of
20 Docket numbers 173 and 173-1, permanently. Those documents have been replaced by Docket
21 numbers 174 and 174-1, now on file, and thus, they are unnecessary.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is
23 true and correct. Dated May 18, 2023, at San Francisco, California.

24
25 /s/
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CINDY A. DIAMOND
Declarant